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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

8 PATRICK S. CRICK,

9 Petitioner,

10 v.

11 JAMES KEY,

12 Respondent.

CASE NO. C17-1348 JLR-BAT

**ORDER FOR SERVICE § 2254
PETITION, ANSWER, AND
APPOINTMENT OF COUNSEL**

13 This is a federal habeas action filed under 28 U.S.C. § 2254. The Court having reviewed
14 Petitioner's federal habeas petition, hereby finds and **ORDERS:**

15 (1) Service

16 The Clerk shall arrange for service by certified mail on Respondent and on the Attorney
17 General of the State of Washington, copies of the petition, all documents in support thereof, and
18 this Order.

19 (2) Appointment of the Federal Public Defender

20 The Court **appoints the Federal Public Defender for the Western District of**
21 **Washington (FPD) as counsel for the Petitioner.** The Clerk shall provide copies of the
22 petition, and this Order to: Michael Filipovic, Federal Public Defender, Federal Public
23 Defender's Office, 1601 Fifth Avenue, Suite 700, Seattle, Washington 98101. The FPD shall

1 confer with Petitioner. The Court's order of appointment will stand unless the FPD informs the
2 Court by **October 6, 2017** that Petitioner objects to the Court's order appointing the FPD and
3 requests the appointment order be rescinded.

4 (3) Answer

5 Within *sixty three (63)* days after service, the Respondent shall file and serve an answer
6 in accordance with Rule 5 of the Rules Governing Section 2254 Cases in United States District
7 Courts. As part of such answer, Respondent shall state whether Petitioner has exhausted
8 available state remedies and whether an evidentiary hearing is necessary. Respondent shall not
9 file a dispositive motion in place of an answer without first showing cause as to why an answer is
10 inadequate.

11 (4) Noting Answer

12 The answer will be treated in accordance with LCR 7. Accordingly, on the face of the
13 answer, Respondent shall note it for consideration on the fourth Friday after filing. Petitioner's
14 response and Respondent's reply shall be filed as set forth in LCR 7(d).

15 (5) Filing by Parties

16 All attorneys admitted to practice before this Court must file documents electronically via
17 the Court's CM/ECF system. All filings must indicate in the upper right hand corner the name of
18 the magistrate judge to whom the document is directed.

19 The parties are advised that when the total of all pages of a filing exceeds fifty (50) pages
20 in length, a paper copy of the document (with tabs or other organizing aids as necessary) shall be
21 delivered to the Clerk's Office for chambers. The chambers copy must be clearly marked with
22 the words "Courtesy Copy of Electronic Filing for Chambers."
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(7) Direct Communications with District Judge or Magistrate Judge

DATED this 15 day of September, 2017.

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COUNSEL - 3